

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


In Re Reissue Application of: Li Liu
 U.S. Patent No. 6,179,889
 Issued: January 30, 2001

For: VACUUM CLEANER TANK
 ASSEMBLY

Filed: Herewith

Probable Group Art Unit: 1724
 Probable Examiner: Christopher Upton

) I hereby certify that this paper is being deposited
) with the United States Postal Service in an
) envelope addressed to: Mail Stop Reissue,
) Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, utilizing the Express
) Mail Post Office to Addressee" service of the
) United States Postal Service under Mailing Label
) No. EV341015161US on this date:
) July 15, 2003


 Richard Zimmerman

**REISSUE APPLICATION DECLARATION BY THE ASSIGNEE
 PURSUANT TO 37 C.F.R §§ 1.172 AND 1.173,
INCLUDING STATEMENT PURSUANT TO 37 C.F.R. § 3.73(b)**

Mail Stop Reissue
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

I, Mark E. Baer, hereby declare that:

1. My mailing address and citizenship are as stated below adjacent to my name.

2. I am authorized to act on behalf of SHOP VAC CORPORATION (hereinafter "the Assignee"), and the title of my position with the Assignee is Vice-President.

3. The entire right, title, and interest to the patent identified below is vested in the Assignee by virtue of an assignment recorded in the U.S. Patent and Trademark Office on June 29, 1999, at Reel 010160, Frame 0388:

Patentee:	Li Liu
Patent No.:	6,179,889
Issue Date:	January 30, 2001
Title:	Vacuum Cleaner Tank Assembly

4. I believe that Li Liu is the original, first, and sole inventor of the subject matter which is described and claimed in U.S. Patent No. 6,179,889 (hereinafter "the '889 patent"), for which a reissue patent is sought on the invention entitled "Vacuum Cleaner Tank Assembly," the specification of which I understand is submitted herewith.

5. I have reviewed and understand the contents of the '889 patent specification, including the claims, as amended by the "Preliminary Amendment," which I understand is being submitted herewith.

6. The assignee consents to the filing of the present reissue application.

7. It is my understanding that the present reissue application does not seek to enlarge the scope of the claims of the '889 patent.

8. I verily believe the '889 patent to be wholly or partly inoperative or invalid by reason of a defective specification and drawing.

9. Specifically, the specification of the '889 patent at column 1, line 62, to column 2, line 3, discloses a first fitting having a second ridged member, and that the second ridged member is trapped against a second abutment. This disclosure is in error. The proper disclosure is best shown in original Figures 4 and 5, where the first fitting has a first ridged member that is trapped between first and second abutments. During preparation of the application that resulted in the '889 patent, the design of the vacuum cleaner assembly changed. The changes were incorporated into the drawings that were filed with the application, but the specification was inadvertently not revised in accordance with the updated drawings.

10. In addition, errors similar to those noted above in paragraph 8 were made in the specification at column 2, lines 21-29, which discloses a first fitting having a second ridged member that is forced against a fitting abutment. This disclosure is also in error, as

the first fitting has a single ridged member that is trapped between a cylinder abutment and the fitting abutment, as best shown in original Figures 4 and 5.

11. Still further, errors similar to those noted above in paragraphs 8 and 9 were made in the specification at column 3, lines 58-64, which discloses a second ridged member of the inlet fitting being loosely trapped adjacent a swivel fitting. Again, this disclosure is in error, as the first fitting has a first ridged member that is loosely trapped between a cylinder abutment and a swivel fitting abutment.

12. Figures 1 of the '889 patent also contains an incorrect lead line. The lead line for reference numeral 31 points to a base of the threaded cylinder 28. This disclosure is in error. The cylinder abutment 31 instead is at the opposite end of the threaded cylinder 28.

13. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the patentees.

14. I acknowledge a duty to disclose to the U.S. Patent and Trademark Office all information of which I am aware and which is material to the examination of this reissue application in accordance with 37 C.F.R. § 1.56.

15. There are no prior or concurrent proceedings (such as interferences, reissues, reexaminations, or litigations) in which the '889 patent is or was involved.

16. I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

John B. Lungmus(18,566)
James P. Zeller (28,491)
Thomas I. Ross (29,275)
Kevin D. Hogg (31,839)
Jeffrey S. Sharp (31,879)
Martin J. Hirsch (32,237)
Richard M. La Barge (32,254)
James J. Napoli (32,361)
Robert M. Gerstein (34,824)

Michael R. Hull (35,902)
Anthony G. Sitko (36,278)
Roger A. Heppermann (37,641)
David A. Gass (38,153)
Gregory C. Mayer (38,238)
Michael R. Weiner (38,359)
Joseph A. Williams (38,659)
Paul C. Craane (38,851)
Patrick D. Ertel (26,877)

David C. Read (39,811)
Bryan J. Lempia (39,746)
Thomas A. Miller (40,091)
William K. Merkel (40,725)
Scott E. Baxendale (41,605)
Brent E. Matthias (41,974)
Sandip H. Patel (43,848)
Kevin M. Flowers (44,684)
William J. Kramer (46,229)

17. All communications concerning this application should be directed to:

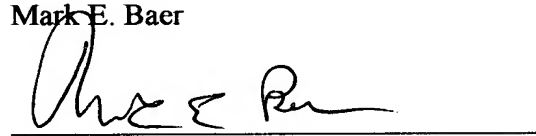
Brent E. Matthias
MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606 6357
(312) 474 6300 (TELEPHONE)
(312) 474-0448 (FACSIMILE).

18. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this reissue application, any reissue patent issuing thereon, or any patent to which this declaration is directed.

Full Name of Person Signing:

Mark E. Baer

Signature:



Date:

7/7/03

Country of Citizenship:

United States of America

Mailing Address:

315 Stone Mountain Lane
Trout Run, Pennsylvania 17771

Title of Person Signing:

Sr. Vice-President

Assignee:

Shop Vac Corporation

Address of Assignee:

2323 Reach Road
Williamsport, Pennsylvania 17701-0307